

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ARISE FOR SOCIAL JUSTICE; ¿OISTE?;
NEW ENGLAND STATE-AREA
CONFERENCE OF THE NAACP; REV.
TALBERT W. SWAN, II; NORMAN W.
OLIVER, DARLENE ANDERSON,
GUMERSINDO GOMEZ; FRANK BUNTIN;
RAFAEL RODRIQUEZ; and DIANA NURSE,

Plaintiffs,

v.

CITY OF SPRINGFIELD and SPRINGFIELD
ELECTION COMMISSION,

Defendants.

Civil Action No. 05-30080 MAP

AFFIDAVIT OF HENRY THOMAS

I, Henry Thomas, hereby certify as follows:

1. I am the President and CEO of the Urban League of Springfield Massachusetts, a position I have held for 31 years. I am a Board Member of the Massachusetts Board of Education, the agency charged with setting the education policy for the Commonwealth of Massachusetts. I also serve as CEO of the Historic Camp Atwater, which is the oldest African American summer youth residential camp in the country. I also serve on a number of local and national boards and commissions. I am the founder and current Chairman of the Board of Directors of the New Leadership Charter School, past member of the American Camping Association board of trustees, Chairman of the Board of Trustees of the Springfield Cable Endowment, and former Chairman of the Springfield Fire Commission and Police Commission respectively. In addition, I have worked as a Visiting Professor at the University of Massachusetts and also at Curry College. I received a Bachelor of Arts in psychology and a Master's degree in human resource development from American International College, and I hold a Juris Doctor from Western New England College of School Law, and two honorary PhD's.
2. I am African American and have resided in Springfield, MA all of my life. As a result of my personal experiences and my civic, political and professional activities in Springfield, I have

a great deal of knowledge about the politics of Springfield and the discrimination experienced by African Americans and Latinos in the city.

3. Candidates of color have had a difficult time getting elected to Springfield's City Council and School Committee under the at-large election system. With rare exception, there was never more than one African American elected at a time. Generally the African American candidates elected were well known in the white community. For instance, in the 1950's Paul Mason was elected. His uncle donated land to the City which became Mason Square, and he was known to the white community. Paul Mason got elected because of his family connections and his ability to appeal to the white community. Not many African American candidates have those family connections and reputation in the white community to allow them to win in a city-wide election.
4. There is a common belief in the minority community that the at-large election system was adopted because the dominant white political and business forces felt that ward representation would dilute the majority community's vote in light of the inevitability of a growing African American and Latino population.
5. Because of the racial and ethnic segregation of Springfield's neighborhoods, and because minority neighborhoods have a lower economic and social status, people of color who seek to run for City Council or School Committee have little opportunity to develop a political base outside of their own community. Segregation and discrimination in Springfield have precluded minority candidates from accessing the political, business and social networks that would allow them to run competitive campaigns in the city as a whole.
6. There is a history of employment discrimination in the City's police and fire forces, as evidenced by the *Castro v. Beecher* and *NAACP v. Beecher* cases which resulted in Consent Decrees requiring minority hiring. Despite the fact those decrees have been in effect for over 30 years, the Springfield Police and Fire Departments have not yet achieved parity and the percentage of African Americans and Latinos do not reflect their percentages in the community.
7. Minorities have had minimal access to public sector jobs in Springfield, as well as private sector jobs. Up until the 1950's Mass Mutual Life Insurance Co., a major employer in the City, had never hired a Black person. There also has been a history of housing discrimination in Springfield, making it difficult for minorities to buy homes. As a result of lack of job opportunities and the lack of homeownership opportunities, African Americans had little opportunity for wealth creation, those precluding them from accumulating the resources necessary to run a city-wide campaign.
8. I have worked on the campaigns of candidates of color, and have observed that African American candidates get a cold response in the white neighborhoods and that they are not taken seriously.
9. Up until 1974 the only place people could register to vote in Springfield was in City Hall, during regular business hours. This prevented many African Americans who had no

flexibility in their jobs from registering to vote. In addition, transportation limitations were also a barrier to registration. In 1973 I proposed that voter registration be more accessible and suggested that librarians in the City's libraries be permitted to register people to vote. When this was done, voter registration in the communities of color increased. I also was involved in Operation State House, a voter registration effort which registered 500 African American voters in one day.

10. African Americans have been disproportionately purged from the voter lists and have often been denied the ability to vote when they went to the polls.
11. Because most Blacks from Springfield migrated here from the South, they have a history where they were deliberately discouraged and prevented from registering to vote and from voting. People registered to vote and voted at great personal risk. This history of intimidation and violence when exercising their right to vote still has a residual impact on many Blacks, which has an inhibiting affect with regard to Black participation in the electoral process today.
12. Most often minorities in Springfield are being asked to vote for white people they do not know or have a relationship with other than during campaign time. The minority candidates than run oftentimes are limited in their ability to attract white voters because of their lack of access to the business community that funds campaigns and because of limited opportunity for social access across racial and ethnic lines. This is due to segregated housing patterns, worship patterns, education and employment patterns in Springfield.
13. The African American community in Springfield has been consistently neglected in terms of the provision of adequate city services, public safety, employment and education. As a result of this disinvestment and history of discrimination, many African Americans feel hopeless that things will improve and do not believe that elected officials will help their community. This discourages them from participating in the electoral process. For those African Americans who have engaged in the electoral system, the fact that African American candidates cannot get elected in **at-large** elections, makes them feel that their votes do not really make a difference.
14. The education system in Springfield has a long and blatant history of segregation and discrimination. The schools are still under a court order that required busing to desegregate Springfield's separate and unequal school system. Today the Springfield system is 80% minority. The school system has failed children of color. There are many illiterate and under educated minorities living in Springfield today. This manifests itself through the high dropout rates among students (50% of the students entering high school do not graduate in the Springfield school system), high unemployment rates, high crime levels, low employment rates and a lack of civic participation.
15. The City recently proposed a new School Plan changing the boundaries of the school districts and permitting neighborhood schools. I opposed this change because out of 31

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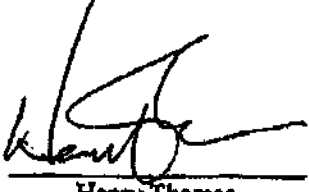
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elementary schools in **Springfield**, 21 are considered **racially** isolated and **therefore in violation** of **state's Racial Imbalance Law**. While the new plan improves to **14** schools out of **31** being out of **compliance**, I do **not believe this** is real **progress**. I do not believe the new plan will **sufficiently change** the racial **imbalance** in the system and will not **change the** poor **quality** of education in the schools serving **African** American and Latino children.

16. **Springfield has totally** neglected the **housing stock** in the **city**, particularly in the African American and Latino neighborhoods. There **is** also a **documented** four to one **turndown** ratio for Blacks compared to whites for mortgages **and** probably even higher for **commercial** loans. This makes it difficult to convince people that their **participation** in the **electoral** system will make a **difference** in their **lives**.
17. The norm is that Blacks and Latinos have been systematically segregated out of the mix in Springfield and thus have been grossly **disadvantaged** when it comes to competing for **at-large elected** positions.
18. African Americans **and** Latinos in Springfield share similar **concerns** regarding education, **housing**, employment, health **care**, police brutality and the ability to elect candidates of their choice under an **at-large** election **system**. African American and Latino **organizations** have worked together to **address** concerns common to both **communities**. Most recently, the African American and Latino community came **together** to oppose the new boundary plan for **the Springfield** public schools which both communities fear will decrease the quality of education for African American and Latino students.

Signed under penalties of perjury, this 14 day of July, 2005.



Henry Thomas